IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

LAND ACQUISITION REFERNECE NO.10 OF 2003
IN
NO.LAQ/SR-542

The Special Land Acquisition Officer (2)

And

Shri Sureshkumar M.Matalia & Ors. ...Claimants

And

Executive Engineer, Mumbai ...Acquiring Body

Ms S.I.Calcuttawalla for the SLAO.

Shri J.K.Rele for the Claimants.

CORAM : ABHAY S.OKA, J.
DATED : AUGUST 01, 2007.

P.C.:

1. The learned Advocate for the claimants has placed on record a letter dated 02nd February, 2007 addressed to him by the claimants. In the said letter the claimants have stated that they do not wish to proceed with this Reference under section 18 of the Land Acquisition Act, 1894. The claimants have stated that they desire to withdraw the Reference.

2. A reference under section 18 of the Land Acquisition Act, 1894 cannot be permitted to be withdrawn and will have to be decided on merits. The claimants do not desire to prosecute the Reference any

further. The burden is on the claimants to lead evidence and to establish that the compensation offered by the Award under section 11 of the said Act of 1894 is inadequate. In view of the said letter, the Claimants do not desire to discharge the burden on them. Accordingly, Land Acquisition Reference is dismissed. No orders as to costs.

JUDGE